

117TH CONGRESS  
1ST SESSION

# H. R. 3193

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2021

Received; read twice and referred to the Committee on Environment and  
Public Works

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## AN ACT

To amend the Public Works and Economic Development Act of 1965 to provide for a high-speed broadband deployment initiative.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Eliminating Barriers  
3 to Rural Internet Development Grant Eligibility Act” or  
4 the “E-BRIDGE Act”.

5 **SEC. 2. HIGH-SPEED BROADBAND DEPLOYMENT INITIA-**  
6 **TIVE.**

7 (a) IN GENERAL.—Title II of the Public Works and  
8 Economic Development Act of 1965 (42 U.S.C. 3141 et  
9 seq.) is amended by adding at the end the following:

10 **“SEC. 219. HIGH-SPEED BROADBAND DEPLOYMENT INITIA-**  
11 **TIVE.**

12 “(a) DEFINITIONS.—In this section:

13 “(1) BROADBAND PROJECT.—The term  
14 ‘broadband project’ means, for the purpose of pro-  
15 viding, extending, expanding, or improving high-  
16 speed broadband service to further the goals of this  
17 Act—

18 “(A) planning, technical assistance, or  
19 training;

20 “(B) the acquisition or development of  
21 land; or

22 “(C) the acquisition, design and engineer-  
23 ing, construction, rehabilitation, alteration, ex-  
24 pansion, or improvement of facilities, including  
25 related machinery, equipment, contractual  
26 rights, and intangible property.

1           “(2) ELIGIBLE RECIPIENT.—

2                   “(A) IN GENERAL.—The term ‘eligible re-  
3           recipient’ means an eligible recipient.

4                   “(B) INCLUSIONS.—The term ‘eligible re-  
5           recipient’ includes—

6                           “(i) a public-private partnership; and

7                           “(ii) a consortium formed for the pur-  
8           pose of providing, extending, expanding, or  
9           improving high-speed broadband service  
10          between 1 or more eligible recipients and 1  
11          or more for-profit organizations.

12           “(3) HIGH-SPEED BROADBAND.—The term  
13          ‘high-speed broadband’ means the provision of 2-way  
14          data transmission with sufficient downstream and  
15          upstream speeds to end users to permit effective  
16          participation in the economy and to support eco-  
17          nomic growth, as determined by the Secretary.

18           “(b) BROADBAND PROJECTS.—

19                   “(1) IN GENERAL.—On the application of an el-  
20          igible recipient, the Secretary may make grants  
21          under this title for broadband projects, which shall  
22          be subject to the provisions of this section.

23                   “(2) CONSIDERATIONS.—In reviewing applica-  
24          tions submitted under paragraph (1), the Secretary  
25          shall take into consideration geographic diversity of

1 grants allocated, including consideration of under-  
2 served markets, in addition to data requested in  
3 paragraph (3).

4 “(3) DATA REQUESTED.—In reviewing an ap-  
5 plication submitted under paragraph (1), the Sec-  
6 retary shall request from the Federal Communica-  
7 tions Commission, the Administrator of the National  
8 Telecommunications and Information Administra-  
9 tion, the Secretary of Agriculture, and the Appa-  
10 lachian Regional Commission data on—

11 “(A) the level and extent of broadband  
12 service that exists in the area proposed to be  
13 served; and

14 “(B) the level and extent of broadband  
15 service that will be deployed in the area pro-  
16 posed to be served pursuant to another Federal  
17 program.

18 “(4) INTEREST IN REAL OR PERSONAL PROP-  
19 erty.—For any broadband project carried out by an  
20 eligible recipient that is a public-private partnership  
21 or consortium, the Secretary shall require that title  
22 to any real or personal property acquired or im-  
23 proved with grant funds, or if the recipient will not  
24 acquire title, another possessory interest acceptable  
25 to the Secretary, be vested in a public partner or eli-

1 gible nonprofit organization or association for the  
2 useful life of the project, after which title may be  
3 transferred to any member of the public-private  
4 partnership or consortium in accordance with regu-  
5 lations promulgated by the Secretary.

6 “(5) PROCUREMENT.—Notwithstanding any  
7 other provision of law, no person or entity shall be  
8 disqualified from competing to provide goods or serv-  
9 ices related to a broadband project on the basis that  
10 the person or entity participated in the development  
11 of the broadband project or in the drafting of speci-  
12 fications, requirements, statements of work, or simi-  
13 lar documents related to the goods or services to be  
14 provided.

15 “(6) BROADBAND PROJECT PROPERTY.—

16 “(A) IN GENERAL.—The Secretary may  
17 permit a recipient of a grant for a broadband  
18 project to grant an option to acquire real or  
19 personal property (including contractual rights  
20 and intangible property) related to that project  
21 to a third party on such terms as the Secretary  
22 determines to be appropriate, subject to the  
23 condition that the option may only be exercised  
24 after the Secretary releases the Federal interest  
25 in the property.

1           “(B) TREATMENT.—The grant or exercise  
2           of an option described in subparagraph (A)  
3           shall not constitute a redistribution of grant  
4           funds under section 217.

5           “(c) NON-FEDERAL SHARE.—In determining the  
6           amount of the non-Federal share of the cost of a  
7           broadband project, the Secretary may provide credit to-  
8           ward the non-Federal share for the present value of allow-  
9           able contributions over the useful life of the broadband  
10          project, subject to the condition that the Secretary may  
11          require such assurances of the value of the rights and of  
12          the commitment of the rights as the Secretary determines  
13          to be appropriate.”.

14          (b) CLERICAL AMENDMENT.—The table of contents  
15          in section 1(b) of the Public Works and Economic Devel-  
16          opment Act of 1965 (42 U.S.C. 3121 note; Public Law  
17          89–136) is amended by inserting after the item relating  
18          to section 218 the following:

          “Sec. 219. High-speed broadband deployment initiative.”.

19          **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

20          The budgetary effects of this Act, for the purpose of  
21          complying with the Statutory Pay-As-You-Go Act of 2010,  
22          shall be determined by reference to the latest statement  
23          titled “Budgetary Effects of PAYGO Legislation” for this  
24          Act, submitted for printing in the Congressional Record  
25          by the Chairman of the House Budget Committee, pro-

